



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: August 30, 2011

TO: Neighborhood Planning Committee

FROM: Patricia James *mm*

RE: Review of Ordinance 11-96, amending the Shepard Davern Residential
Redevelopment Overlay District (Sec. 67.303)

ISSUE

Councilmember Pat Harris introduced Ordinance 11-96 on August 24, 2011, amending a regulation in the Shepard Davern Residential Redevelopment Overlay District found in Sec. 67.303(c)(2) of the zoning code. The regulation currently requires a minimum site size of two (2) acres. The proposed amendment would reduce the minimum site size to one (1) acre.

The ordinance has been referred to the Planning Commission for review, report, and recommendation as required by Minnesota Statutes 462.357, Subd. 2(b). See Attachment 1 for a copy of the ordinance.

BACKGROUND

The **Shepard Davern Gateway Small Area Plan** was developed by a task force with members from the Planning Commission and the community, who started work in 1997. A summary of the completed plan was adopted by the City Council as an addendum to the Comprehensive Plan on September 22, 1999. See Attachment 2 for a copy of the plan summary.

The plan encompassed an area between West Seventh Street (Fort Road) and Shepard Road that began at the intersection of Highway 5/W. 7th Street and Shepard Road on the west and ended at Rankin Street on the east.

The plan's vision for the redevelopment of the residential areas east of Davern is to create "urban villages, green streets and commons, with up to 1,000 new units of housing." Goals for other plan areas include improvements to Shepard Road and new mixed use development in the area along and west of Davern.

To help implement this vision, two overlay districts were created. The Shepard Davern Commercial Redevelopment Overlay District (Sec. 67.302, SDC district) covers the western portion of the plan area, while the Shepard Davern Residential Redevelopment Overlay District (Sec. 67.303, SDR district) is to the east. The boundary line between the two is roughly at the western edge of the Sibley Manor residential development. (See Attachment 3 for the map and a copy of the overlay districts.)

The purpose of the SDC district is “to promote the redevelopment of the area into a mixed use urban district combining commercial uses, hospitality facilities and housing. Redevelopment in the district shall be designed to enhance the livability of the area, to reduce adverse traffic and parking conditions and to create building uses and space consistent and compatible with the architecture of the city and the scenic features of the area. The district is also designed to increase green space and maximize vegetative plantings throughout the district and provide tree lined corridors along West Seventh, Shepard Road and the proposed Edgumbe Parkway.” The commercial overlay district prohibits some kinds of commercial uses, permits multiple family developments, requires development of an area bounded by West 7th, Davern, and Norfolk as one site, and establishes a minimum site size of one (1) acre for the remainder of property within the overlay district. Between 2004 and 2008, the Norfolk/7th/Davern site was redeveloped as multiple family housing. The remaining parcels remain largely unchanged.

The SDR district includes the following purpose: “to promote the redevelopment of the area into an urban village residential district by mixing attractive examples of higher density multiple family housing with pedestrian-friendly streets and community amenities.” To foster the type of development desired, the overlay district established regulations for building design, parking lot and structure design, and landscaping. One of the building standards is a minimum site size of two (2) acres.

There is no explanation in the plan or in the overlay districts for the different minimum site sizes of the SDC and SDR districts.

ANALYSIS

The adopted Shepard Davern Gateway Plan is now twelve years old. Planning staff have identified it as in need of updating, but this work has not yet begun.

During the last twelve years, significant development occurred at the western end of the plan area covered by the SDC overlay, while minimal development has occurred to the east, within the boundaries of the SDR overlay district. As worded, the overlay district minimum site size makes every single family home and small apartment building in the area legally nonconforming, even though the underlying RM2 zoning permits these uses.

Staff research uncovered only two completed projects in the SDR district since its establishment. In 2003, shortly after adoption of the plan and overlay district, a 24-unit condominium was built at 2395 Benson. This project was constructed on a 0.7 acre site and received a variance of the minimum parcel size requirement.

The second development, in 2007, was for a memory care center at 1306 Alton. This project, on a 0.95 acre site also did not meet the standards in the SDR overlay district and received variances of side yard setback, parking (both number of spaces and setback), and the 2 acre minimum site size.

A third development proposal at the corner of West 7th and Springfield obtained approval of variances of minimum site size (the parcel is 1.5 acres) and 25 ft. parking setback from the street in 2010. (The variances were denied by the Board of Zoning Appeals and approved by the City

Council on appeal.) Neighbors of the proposed development then filed suit, and the district court has recently returned the variances to the City Council for revised findings.

In conclusion, no development has met the 2 acre minimum parcel size required in the SDR overlay district since it was instituted. Other SDR standards have been met by one or both of the two completed developments. While the lack of activity can be traced in part to the recent housing market, only limited development occurred in the SDR area even during a strong residential market.

STAFF RECOMMENDATION

Staff recommends approval of the resolution finding that Ordinance 11-96 amending the minimum site size in the SDR overlay district is consistent with the Shepard Davern Gateway Area Plan Summary, an addendum to the Comprehensive Plan. This recommendation is based on the lack of development in the SDR area during the 12 years the overlay district has been in effect, the fact that the only two residential projects completed since the establishment of the overlay have received variances of the site size regulation, and the lack of rationale for the difference in site size minimums between the two overlay districts.

Staff further recommends that, when the Shepard Davern Gateway Small Area Plan is updated, the review should include an analysis of the two overlay districts, their effectiveness in promoting implementation of the plan vision, and whether further changes are appropriate. Since the plan was adopted, the zoning code has been amended to include a number of Traditional Neighborhood zoning districts as well as stronger design guidelines. It may be that these overlay districts can be amended significantly or even deleted.

city of saint paul
planning commission resolution
file number
date

WHEREAS, the Shepard Davern Gateway Small Area Plan Summary was adopted by the Saint Paul City Council as an addendum to the Saint Paul Comprehensive Plan on September 22, 1999; and

WHEREAS, two zoning overlay districts were also established at the time of plan adoption: the SDC Shepard Davern Commercial Redevelopment Overlay District and the SDR Shepard Davern Residential Redevelopment Overlay District, codified in Legislative Code sections 67.302 and 67.303 respectively; and

WHEREAS, the Shepard Davern plan and overlay districts are now more than ten years old and have been identified as needing review and updating; and

WHEREAS, the goal of the Shepard Davern Residential Redevelopment Overlay District (SDR) as stated in Sec. 67.303(a) of the Legislative Code is "to promote the redevelopment of the area into an urban village residential district by mixing attractive examples of higher density multiple family housing with pedestrian-friendly streets and community amenities"; and

WHEREAS, Section 67.303(c)(2) requires a minimum site size of two (2) acres for residential redevelopment in the SDR overlay district, while, in contrast, the SDC overlay district permits development on a site with a minimum of one (1) acre in Sec. 67.302(e)(1)(b); and

WHEREAS, no development has occurred in the area covered by the SDR overlay district since its inception that meets the 2 acre minimum site size requirement – the only two successful developments received variances of this requirement to develop 24 condominium units on a site of 0.73 acres and a memory care center on a 0.95 acre site; and

WHEREAS, the City Council has introduced Ordinance 11-96 to reduce the minimum site size in the SDR overlay district to one (1) acre, consistent with the minimum site size in the SDC overlay district and referred the ordinance to the Planning Commission for study, report, and recommendation;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds that Ordinance 11-96 amending the minimum site size in the SDR overlay district to one (1) acre is consistent with the goals and vision of the Shepard Davern Gateway Area Plan Summary, an addendum to the Comprehensive Plan, and simplifies regulations in the plan area; and be it

FURTHER RESOLVED, that the Planning Commission directs staff to include an analysis of the two Shepard Davern overlay districts and their effectiveness in promoting implementation of the plan's vision when the Shepard Davern Gateway Small Area Plan is updated.

moved by _____
seconded by _____
in favor _____
against _____



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: Ord 11-96

File ID: Ord 11-96

Type: Ordinance

Status: Second Reading

Version: 1

Contact
Number:

In Control: City Council

File Created: 08/24/2011

File Name:

Final Action:

Title: Amending Legislative Code § 67.303(c)(2), pertaining to building regulations in the Shepard Davern residential redevelopment overlay district, by reducing the minimum site size development requirement to one acre, for the purpose of making the residential site size requirement consistent with the site size requirement for the Shepard Davern commercial overlay district under Leg. Code § 67.302(e)(1)(b).

Notes:

Sponsors: Harris

Enactment Date:

Attachments:

Financials Included?:

Contact Name:

Hearing Date:

Entered by: kathryn.burger@ci.stpaul.mn.us

Ord Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	08/24/2011	Laid Over to Second Reading	City Council			Pass
1	City Council	09/07/2011					

Text of Legislative File Ord 11-96

Amending Legislative Code § 67.303(c)(2), pertaining to building regulations in the Shepard Davern residential redevelopment overlay district, by reducing the minimum site size development requirement to one acre, for the purpose of making the residential site size requirement consistent with the site size requirement for the Shepard Davern commercial overlay district under Leg. Code § 67.302(e)(1)(b).

Statement of Legislative Intent. Pursuant to Minn. Stat. § 462.357, Subd.2(b), the Council of the City of Saint Paul desires to amend a zoning ordinance for the purpose of encouraging residential development opportunities in the Shepard Davern residential overlay district. Accordingly, the Council, following the procedure for adopting ordinances under section 6.05 of the City Charter, hereby initiates the following amendment to the zoning code and refers the same to the planning commission in order that the commission may study, report, and prepare a recommendation

regarding the proposed amendment to the Council in conformance with Minn. Stat. § 462.357, Subd.4.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1.

That Leg. Code § 67.303(c), entitled "building regulations," is hereby amended to read as follows:

(c) *Building regulations.* The following building regulations shall pertain to the SDR Shepard Davern residential redevelopment overlay district.

- (1) Building heights shall be limited to six (6) stories but not exceed sixty-five (65) feet outside the river corridor zone.
- (2) Minimum site size shall be ~~two~~ one (2) (1) acres.
- (3) The total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel in square feet, divided by five hundred twenty five (525).
- (4) The maximum percent of a lot occupied by main building shall be forty-five (45) percent.
- (5) All buildings shall have at least one (1) prominent pedestrian entry oriented to the parkway or street.
- (6) Building design and materials shall enhance the historic character of this area of the city, with appropriate relationships to Fort Snelling and Fort Road (W 7th), as follows:
 - a. A cornice or material trim line shall be established defining the building base as approximately the first floor;
 - b. A cornice line or eave line shall be established defining the top of the building;
 - c. The building base shall be faced in stone, masonry, or a material equal or better in quality;
 - d. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of the existing residential areas; materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood composite materials, tile panels and reflective materials are prohibited;
 - e. Buildings shall avoid blank street walls.
 - f. Where possible the first floor facade facing a public street shall have windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited.
 - g. Trash receptacles and service areas or entries shall be screened with the same materials used on the building exterior.

- h. Chain link and barb wire fencing is prohibited.

Section 2.

This ordinance shall take effect thirty (30) days after its passage, approval, and publication.

Area Plan Summary

The Shepard Davern Gateway Small Area Plan

Addendum to The Comprehensive Plan for Saint Paul

Recommended by the Planning Commission July 23, 1999

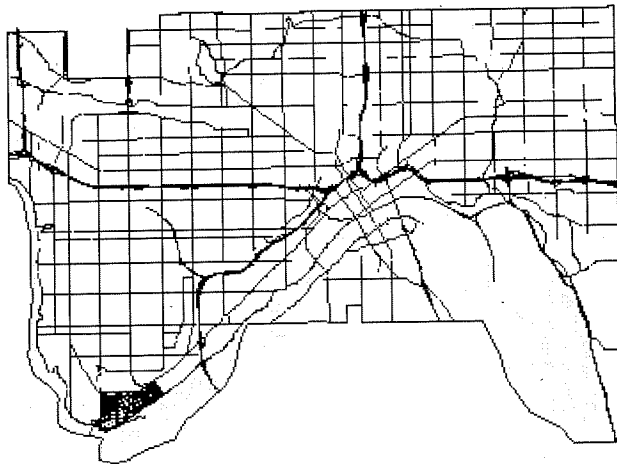
Adopted by the City Council September 22, 1999

This summary appends to the Comprehensive Plan the vision of The Shepard Davern Gateway Small Area Plan for redevelopment of the historic Shepard-Davern area. This includes adoption of a proposed land use map as a further refinement of the City's Land Use Plan for the area. The Plan identifies means for implementation in this area of a number of Comprehensive Plan policies, including:

- *Increased housing and transit-supportive development*
- *A re-designed entry to the city at the river*
- *Integrated neighborhood development and improved connections*
- *High quality built environment*
- *Partnership action: City, neighborhood, private and non-profit sectors*

Location

The Shepard Davern area is bounded by the Mississippi River on the south and west, and the Highland Park bluffs on the north.



Vision

A new gateway entrance to the city and neighborhood will be established consistent with the historic character of the area. New development along Davern and Shepard Road will mix commercial and residential uses along park-like streets, and include hotel and conference facilities. Residential areas will be redeveloped to create urban villages, green streets and commons, with up to 1,000 new units of housing. Shepard Road is envisioned as a river road parkway, offering scenic views and access to a restored natural environment. The business district on West Seventh Street will be a vital community business center serving a variety of local needs in an environment more attractive and comfortable for pedestrians.

Specific Area Plans & Design Guidelines

1. Gateway Area

This area will be identified as a key entry into the City of St. Paul, beginning on Hwy. 5 west of the Mississippi River Bridge (where the freeway divides), and extending to the I-35 Interchange. To change the character of the road from a freeway to a “gateway” into the city, new historic lighting, ironwork railings, landscaping, a major city entry sign, public art, and pedestrian amenities are planned. The Saint Paul Gateway Project is an ongoing project of the Highland District Council, initiated before the Small Area Plan was undertaken.

(insert graphic)

2. Shepard Road River Bluff District

Shepard Road will be realigned, and redesigned as a parkway with wide curves and bends, extending the character of the Mississippi River Road. The design would include new pedestrian amenities, such as crosswalks, lighting and seating at overlooks, as well as rebuilding the walking and biking trails, and the addition of new stairs or trails to connect the Highland bluffs to the lowland park. The old bridge abutment has been identified as a historic site and scenic river overlook, planned with new interpretive panels, paving, and lighting. Native vegetation and wildflowers will be planted, restoring the natural landscape of the Mississippi River bluffslands. Extensive landscaping is required to change the Shepard Road environment to one that reflects the green character of the river corridor.

3. West Seventh / Fort Road Commercial District

The Fort Road shopping district begins east of Wheeler, and continues to St. Paul Avenue. Retail and mixed-use buildings with active ground floor uses are encouraged. Building entries and shop windows will be oriented to West Seventh / Fort Road, and buildings should reflect the historic character of the road. Parking will be located at the sides or back of buildings, and screened and landscaped. Shared, structured parking is encouraged. Additions and improvements to the Sibley Plaza Shopping Center will occur, increasing and reinforcing the

existing retail and creating new spaces for informal community gathering, such as plazas and shopping mews.

Eventual mixed-use development on the southeast side of West Seventh will help strengthen the district as a community shopping area.

(insert graphic - page 18)

4. New Housing

Up to 1,000 new units of housing will be built, primarily within the existing neighborhoods east of West Maynard Drive. New housing types will include apartment buildings, rowhouses, and condominiums, of a diversity and quality consistent with the pattern established by newer housing in the area. Substantial, high-quality multi-family development would face Shepard Road. A new park/playground is included in the area to serve the larger population.

The area's current economic mix is an asset that should be maintained as new housing is constructed. New housing built in the area should provide for a range of economic levels as required by the City's housing policy. The high component of units affordable for households with incomes below 30 percent of the median already present (at least 25 percent of area housing) should be taken into account; it would be appropriate to emphasize the affordable needs above this level. This assumes effective continued maintenance of the present affordable units at present cost levels; units lost should be replaced with units at similar cost. Besides meeting affordability objectives, new housing should respond to the market interest in townhouse and condominium alternatives and build on the success of the newer housing options already available in the area.

(insert graphic - page 20)

5. Edgumbe Parkway District

A new mixed-use business park is proposed for the entire area west of Sibley Manor from Shepard Road to West Seventh Street. Office-commercial, retail, hospitality and residential uses are to be included, replacing airport-related parking as well as the single family neighborhood west of Davern Street. New buildings would be encouraged to locate retail or small commercial tenants on the ground floor, with active shop windows and streetfront entrances. Davern would be strengthened as a pedestrian connection to the Fort Road shopping area, with curbs, sidewalks, lighting, and landscaping.

Extension of Edgumbe Parkway across West Seventh Street is proposed to improve access to the new business park and provide a central interior focus for the area, connecting with Shepard Road on the east. An at-grade intersection with West Seventh Street is proposed to help establish a slower city-street character for West Seventh Street. However, the plan specifies that a grade-separated alternative should be evaluated as well and the at-grade solution should only be implemented if it is clear that traffic impacts are satisfactory. Edgumbe Parkway will be richly

landscaped and well defined by the built streetwall. Buildings will be set close to the street and designed in brick and stone.

(insert graphic - page 28)

Implementation

- Gateway fund-raising to enable the community to begin public realm investments, such as signage, historic lantern lighting, landscaping, bridge improvement, and the Gateway Garden. (Saint Paul CIB, STAR Grant, ISTEAs, and state funds have already been secured by the Saint Paul Gateway Project.)
- Improvements to West Seventh Commercial District, including design, funding and installation of landscaping and lighting along West Seventh; reconstructing sidewalks and cross-walk improvements; encouraging private property improvements.
- Rezoning the Edgumbe Parkway area and Davern Street industrially zoned land to B2; rezoning housing sites east of Sibley Manor according to plan vision.
- Create a zoning overlay for critical areas of the plan, which would require all new building projects to comply with the Small Area Plan.
- Market opportunity: ensure awareness of plan objectives.
- Develop more complete and definitive design guidelines for continuing development and strengthen means for enforcement.
- Study options for replacing displaced housing, such as relocating into new units, etc.
- Evaluate the feasibility of tax increment financing (TIF) districts to support local public space improvements (streets, parks, art, daycare, etc.), district parking, housing rehab and/or affordable housing within the area plan.
- Design and construct the parkway extension, new street connections, and improvements to Davern Street.
- Coordination of Saint Paul City departments (PED, Public Works, and Parks & Recreation), MnDOT, and Ramsey County.
- Obtain funding to develop the scenic overlook and design its elements - interpretive panels, seating, lighting, and landscaping.
- Collaborate with other organizations to implement this plan. (Greening the Great River Park and Public Art St. Paul are already contributing to ongoing efforts.)

City Action

Actions needed for encouragement of development according to the vision include:

- Complete design and installation of Gateway improvements funded, and support continuation and completion of the Gateway Project.
- Adopt this summary, including its land use map, as an amendment to the Saint Paul Comprehensive Plan.
- Complete the design, review, and adoption of zoning measures required for implementation.
- Guide development to realize the plan's objectives through site plan review and zoning procedures including zoning amendments.
- Support continued refinement of design guidelines for continuing development in the area

and strengthen the means for effective enforcement.

- Support privately-initiated redevelopment where proposals are consistent with the plan, consistent with design guidelines and objectives for a high quality environment, provide acceptable and desirable outcomes for residents displaced, and consistent with city policies and prudent use of public resources.
- Design and construct improvements for the West Seventh streetscape and pedestrian areas, realignment of Edgcumbe Parkway, and upgrades to Davern Street.
- Long range: initiate design and planning work for major reconstruction of Shepard Road according to plan.

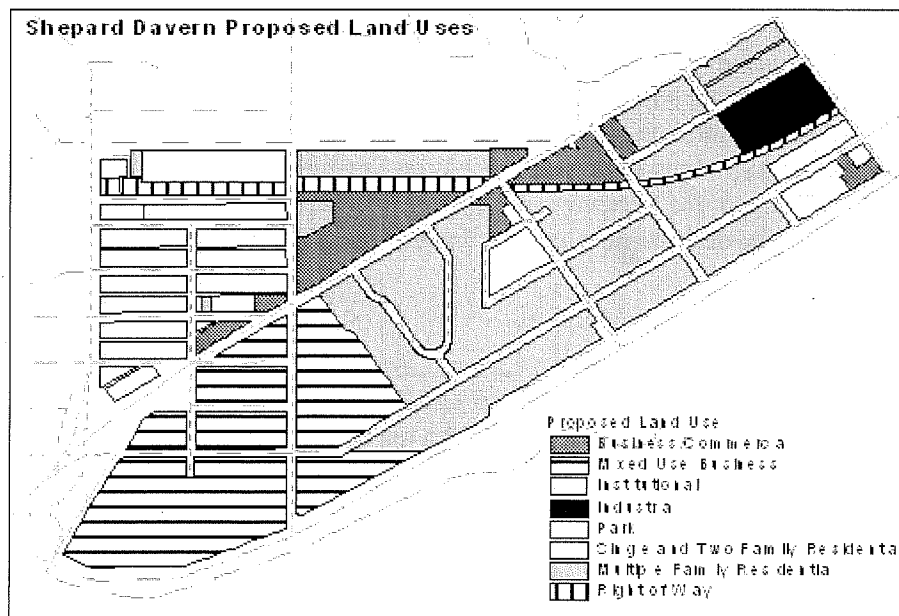
Planning Commission Findings

In general, the Planning Commission finds *The Shepard Davern Gateway Small Area Plan* to be highly consistent with the City's Comprehensive Plan and associated city development policies.

Implementation of development envisioned on Shepard Road sites--hotel and office as well as housing--may be difficult because of the 40-foot height limit established by the river corridor ordinance. The 40-foot height limit may prevent development that can meet the quality standards desired, including parking enclosed within the structure and extensive landscaped open space. In the development of zoning regulations to implement the plan, consideration should be given to allowance of limited additional height as a special condition use with strong conditions and provisions for review that would ensure development that contributes positively to environmental quality for the corridor and to the plan vision. Height regulation is one aspect of river corridor development that will be reviewed in the update of the Saint Paul River Corridor Plan.

Planning Process

The Shepard Davern Gateway Small Area Plan was prepared by a task force established by the Highland District Council (District 15). Membership included members of the Highland District Council, area residents and business owners, the Saint Paul Parks Commission, the Community Service Agency, and the West End Business and Professional Association. The small area task force was assisted throughout the planning process by staff from City of Saint Paul, Highland District Council, and urban design and economic analysis professionals from A Studio, Close Landscape Architecture, and Quam Sumnicht & Associates. The small area planning effort was paralleled by the work of the Gateway Task Force, which is working on the planning, design, funding and implementation of specific improvements for the Gateway area and the West Seventh Street Corridor from the airport to I-35. The small area plan was recommended by the task force on April 19, 1999.



Copies of *The Shepard Davern Gateway Small Area Plan* can be obtained by calling Jim Zdon at 651-266-6559.

ATTACHMENT 3

- ☐ Parcel
- ☐ Selected Parcel
- Interstate
- Highway or County Road
- Local Road
- Ramp
- Other Street
- Tree Preservation District
- State Fair Vending Subdistrict
- State Fair Parking
- Shepard Tavern Residential
- Shepard Tavern Commercial
- White Bear Avenue
- Willow Creek Village
- East Grand Avenue
- Central Corridor
- 80' Height District
- 75' Height District
- 60' Height District



THIS IS NOT A LEGAL DOCUMENT

City of Saint Paul Public Works Technical Services

PART II - LEGISLATIVE CODE
TITLE VIII - ZONING CODE
Chapter 67. - Zoning Code—Overlay Districts
ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT

Sec. 67.302. - SDC Shepard Davern commercial redevelopment overlay district.

(a) *Purpose.* The SDC Shepard Davern commercial redevelopment district is an overlay district designed to promote the redevelopment of the area into a mixed use urban district combining commercial uses, hospitality facilities and housing. Redevelopment in the district shall be designed to enhance the livability of the area, to reduce adverse traffic and parking conditions and to create building uses and space consistent and compatible with the architecture of the city and the scenic features of the area. The district is also designed to increase green space and maximize vegetative plantings throughout the district and provide tree lined corridors along West Seventh, Shepard Road and the proposed Edgcumbe Parkway.

(b) *Established boundaries.* The boundaries of the SDC Shepard Davern commercial redevelopment overlay district shall be the area shown on the official zoning map.

(c) *Permitted uses.* In addition to the uses permitted within the primary zoning district, the following uses shall be permitted in the SDC Shepard Davern commercial redevelopment overlay district:

(1) Hotels and hotel conference facilities. All hotels shall be at least three (3) stories in height and have a minimum of one hundred (100) rooms. Patron access to hotel rooms shall only be provided by a central interior corridor.

(2) Higher density multiple family housing with or without mixed commercial uses.

(d) *Prohibited uses.* The following uses shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district:

(1) Automobile sales and service centers, auto convenience markets, auto service stations and auto specialty stores. Exceptions are those auto convenience markets and auto service states that are not freestanding and are integrated into either hotel, office, or parking ramp structures.

(2) Freestanding and drive thru fast food restaurants.

(3) Recycling drop off stations.

(4) Currency exchange businesses.

(5) Pawn shops.

(6) Community and transitional residential facilities.

(7) Veterinary clinics.

(8) Cellular telephone antennas not located on an existing structure.

(9) Freestanding liquor establishments.

(e) *Building regulations.* The following building regulations shall pertain to the SDC Shepard Davern commercial redevelopment overlay district.

(1) Minimum redevelopment site size shall be as follows:

a. The area bounded by West 7th Street, Davern Street and Norfolk Avenue shall

PART II - LEGISLATIVE CODE
TITLE VIII - ZONING CODE
Chapter 67. - Zoning Code—Overlay Districts
ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT

- be developed as one site.
- b. Within the remainder of the overlay district, the minimum redevelopment site size shall be one (1) acre.
- (2) Building heights shall be limited to six (6) stories and not exceed sixty-five (65) feet outside the river corridor zone.
- (3) The maximum floor area ratio shall be three (3).
- (4) Front setbacks shall be as follows:
- a. Shepard Road shall have a minimum setback of twenty-five (25) feet with a planned canopy of trees. Canopy trees are recommended to be spaced no more than thirty (30) feet apart with allowances for entries and signage view corridors. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota. Driveway cuts onto Shepard Road are discouraged.
- b. Edgcumbe Parkway shall have a minimum setback of 20 feet with a planned canopy of trees. Canopy trees are recommended to be spaced no more than 30 feet apart with allowances for entries and signage view corridors. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- c. West 7th Street from Mississippi River Boulevard to Wheeler Street shall have a minimum setback of 25 feet with a planned canopy of trees. Canopy trees are recommended to be spaced no more than 30 feet apart with allowances for entries and signage view corridors. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- d. West 7th Street from Wheeler to Davern Street shall have a setback not to exceed 25 feet. Infill landscaping to include canopy trees, understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- e. Front setbacks on the remainder of West 7th Street shall not exceed twenty-five (25) feet. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- f. Front setbacks on Davern Street shall not exceed twenty-five (25) feet. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- (5) Side setbacks shall be a minimum of ten (10) feet on all sides. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- (6) At least fifty (50) percent of the Edgcumbe Parkway and Davern Street frontage shall be fronted by buildings.
- (7) Buildings on Edgcumbe Parkway, Davern Street and West 7th Street shall have at least one (1) prominent pedestrian entry oriented to the parkway or street.
- (8) Building design and materials shall enhance the historic and scenic character of this area of the city, with appropriate relationships to Fort Snelling and Fort Road (W 7th), as

PART II - LEGISLATIVE CODE
TITLE VIII - ZONING CODE
Chapter 67. - Zoning Code—Overlay Districts
ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT

follows (refer to illustration or diagram on file in the office of the city clerk):

- a. For buildings greater than three (3) stories, a cornice line shall be established defining the building base, located approximately one-third (1/3) of the distance from where the building meets the ground to the top of the building;
 - b. A cornice line shall be established defining the top of the building;
 - c. Cornices shall be allowed to project over the public right-of-way line, but not more than fifteen (15) inches;
 - d. The building base shall be faced in stone, brick/masonry, or a material equal or better in quality; no cement block is allowed.
 - e. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of Fort Snelling (stone, brick/masonry, architecturally finished precast concrete, stucco or similar materials equal or better in quality). Materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood or wood composite materials, tile panels and reflective materials are prohibited;
 - f. At least twenty-five (25) percent of the first floor facade of any nonresidential use that faces a public street shall be windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited;
 - g. Windows should be set into the exterior wall, with no more than forty (40) percent of the total exterior envelope being glass; continuous bands of windows are prohibited.
- (9) Trash receptacles and storage shall be located within all buildings.
- (10) Outdoor storage of products, equipment and materials is prohibited.
- (11) Chain link and barb wire fencing are prohibited.
- (f) *Prohibited on-premise signs.* The following on-premise business signs shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district:
- (1) Freestanding signs with the exception of ground signs that have two (2) pillars and a maximum height of six (6) feet. Ground signs shall be built with the same exterior building materials as the building and shall not be illuminated with back lighted panels.
 - (2) Backlighted awning signs.
 - (3) Projecting signs.
 - (4) Flashing signs and electronic message signs.
 - (5) Temporary or portable signs, except that merchant sign placards which sit on the sidewalk and are stored indoors are permitted during business hours as long as the sidewalk is not blocked or reduced to less than five (5) feet.
 - (6) Roof signs.

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- (7) Advertising signs, billboards and business signs that advertise products.
- (8) Pennants, banners and triangular signs attached to strings.
- (g) *Prohibited off-premise signs.* All off-premise advertising signs, for example, billboards, bus bench signs, and bus shelter signs, shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district.
- (h) *Wall signs.*
 - (1) Wall signs shall cover neither windows or architectural trim and detail. They should be located on the bands of building facades, over the entry, over windows or between windows.
 - (2) Wall signs located above twenty (20) feet in height shall be limited as follows:
 - a. Only one (1) sign per building.
 - b. Shall not face the Mississippi River.
 - c. Shall be limited to the corporate/business name or logo.
 - d. Shall not exceed seventy five (75) square feet.
 - e. Shall not be illuminated with back lighted panels.
- (i) *Window signs.*
 - (1) Permanent window signs, without advertising, may be painted on the surface of the window. Such signs shall not exceed ten (10) percent of the window glass area.
 - (2) Temporary window signs, without advertising, may be affixed to the inside of the window. Such signs shall not be in place longer than thirty (30) days and shall not exceed ten (10) percent of the window glass area.
- (j) *Public sidewalks.* All frontages along public streets shall have minimum six-foot sidewalks and tree planted boulevards, with street trees spaced an average of one every thirty (30) feet. Spacing and growing medium for the boulevard trees should be designed for plant health. Any such trees must be selected for heat, deicing salt, soil compaction and drought tolerance. Along West 7th Street brick pavers shall be integrated in to the sidewalks at intersection corners (refer to illustration or diagram on file in the office of the city clerk).
- (k) *Accessory parking regulations.* The following accessory parking regulations shall apply to the SDC Shepard Davern commercial redevelopment overlay district:
 - (1) *Location:* All on site accessory parking areas and structures shall be located to the side or rear of the principal building or use served.
 - (2) *Quantity:* Parking shall be provided as the zoning requires for each use, except as follows:
 - a. For commercial or retail uses, if a transit shelter is provided on site then required parking spaces shall be reduced by five (5) percent but not to exceed five (5) spaces total;

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b. For commercial or retail uses, required parking may be reduced by the establishment of a parking district for the purposes of sharing parking within one shopping or entertainment area; parking areas must be clearly identified and provided with dedicated pedestrian links to the street; the establishment of a parking district to allow a reduction in parking required shall be subject to review and approval by the planning commission. The development of shared parking is encouraged subject to the provisions of section 63.200.

(3) Parking areas fronting along public street shall comply with the following:

a. A landscaped setback area of at least fifteen (15) feet on West 7th Street and Davern Street, twenty (20) feet on Edgcumbe Parkway, twenty five (25) feet on Shepard Road and containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and public sidewalk. Landscaped areas shall be irrigated by underground watering systems. The city zoning administrator may approve the substitution of a decorative fence, masonry wall, berm or similar architectural feature in lieu of up to sixty (60) percent of planted materials. Along West 7th Street, there shall be wrought iron fencing three (3) feet high.

b. One canopy tree at least three (3) inches in caliper and one evergreen tree at least two and one-half (2½) inches in caliper shall be provided for every thirty (30) feet of parking lot frontage. Trees shall be planted in the landscaped area between the parking area and sidewalk.

(4) For all parking lots which exceed one hundred (100) cars, an area equal to a minimum of ten (10) percent of the paved parking area shall be provided for interior landscaped islands. For all parking lots with thirty-five (35) to one hundred (100) cars, an area equal to a minimum of five (5) percent of the paved parking area shall be provided for interior landscaped islands. Interior landscaping shall be not less than forty (40) percent evergreens and shall include canopy trees in islands which exceed one hundred (100) square feet. Parking lot trees must be selected for heat, deicing salt, soil compaction, and drought tolerance and are to have a ground layer of organic mulch and/or massing of shrubs or living ground covers which will be managed to tolerate site conditions.

(5) Parking structures fronting along public streets shall comply with the following:

a. Durable maintainable materials (stone, brick, architecturally finished precast concrete or similar materials equal or better in quality) shall be used for parking structure exteriors.

b. A landscaped setback area of at least fifteen (15) feet on West 7th Street and Davern Street, twenty (20) feet on Edgcumbe Parkway, and twenty-five (25) feet on Shepard Road shall be provided between the parking structure and public sidewalk. Landscaped areas shall be irrigated by underground watering systems.

c. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2½) inches in caliper shall be provided for every thirty (30) feet of parking structure frontage. Trees shall be planted between the parking structure and the sidewalk, or between the sidewalk and the street.

(I) *Landscaping regulations.*

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- (1) At least fifty (50) percent of all landscaped areas should be planted with species native to Minnesota.
- (2) Where nonnative species are planted, no exotic invasive species shall be used, for example, European buckthorn and Tartarian honeysuckle.
- (3) Wherever possible, connect new landscape areas to existing or neighboring planted areas for landscape connectivity.
- (4) In areas of screening, the landscaping shall favor planting beds of trees with shrubs in order to have upper and lower plant material.
- (5) The greatest extent possible, existing healthy native trees and vegetation shall be retained.
- (6) Canopy trees are defined as achieving a height of at least fifty (50) feet at maturity.
- (7) When trees are sited in areas where they can be damaged, they shall be protected through such measures as staking, flagging or curbing.

Sec. 67.303. - SDR Shepard Davern residential redevelopment overlay district.

(a) *Purpose.* The SDR Shepard Davern residential redevelopment district is an overlay district designed to promote the redevelopment of the area into an urban village residential district by mixing attractive examples of higher density multiple family housing with pedestrian-friendly streets and community amenities.

(b) *Established boundaries.* The boundaries of the SDR Shepard Davern residential redevelopment overlay district shall be the area shown on the official zoning map.

(c) *Building regulations.* The following building regulations shall pertain to the SDR Shepard Davern residential redevelopment overlay district.

- (1) Building heights shall be limited to six (6) stories but not exceed sixty-five (65) feet outside the river corridor zone.
- (2) Minimum site size shall be two (2) acres.
- (3) The total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel in square feet, divided by five hundred twenty five (525).
- (4) The maximum percent of a lot occupied by main building shall be forty-five (45) percent.
- (5) All buildings shall have at least one (1) prominent pedestrian entry oriented to the parkway or street.
- (6) Building design and materials shall enhance the historic character of this area of the city, with appropriate relationships to Fort Snelling and Fort Road (W 7th), as follows:
 - a. A cornice or material trim line shall be established defining the building base as approximately the first floor;

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- b. A cornice line or eave line shall be established defining the top of the building;
 - c. The building base shall be faced in stone, masonry, or a material equal or better in quality;
 - d. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of the existing residential areas; materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood composite materials, tile panels and reflective materials are prohibited;
 - e. Buildings shall avoid blank street walls.
 - f. Where possible the first floor facade facing a public street shall have windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited.
 - g. Trash receptacles and service areas or entries shall be screened with the same materials used on the building exterior.
 - h. Chain link and barb wire fencing is prohibited.
- (d) *Public sidewalks.* All frontages along public streets shall have minimum six-foot sidewalks and tree-planted boulevards, with street trees spaced an average of one (1) every thirty (30) feet. Spacing and growing medium for the boulevard trees should be designed for plant health. Any such trees must be selected for heat, deicing salt, soil compaction and drought tolerance. Along West 7th Street brick pavers shall be integrated into the sidewalks at intersection corners.
- (e) *Accessory parking regulations.* The following accessory parking regulations shall apply to the SDR Shepard Davern residential redevelopment overlay district:
- (1) *Location.* All on site accessory parking areas and structures shall be located to the side or rear of the principal building or use served.
 - (2) Parking areas fronting along public streets shall comply with the following:
 - a. A landscaped front setback area of at least twenty-five (25) feet containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and the public sidewalk. Landscaped area shall be irrigated by underground watering systems. The city zoning administrator may consider the substitution of a decorative fence, masonry wall, berm or similar architectural feature in lieu of planted materials.
 - b. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2 ½) inches in caliper shall be provided for every thirty (30) feet of parking lot frontage. Trees shall be planted in the landscape between the parking area and sidewalk.
 - (3) Parking structures fronting along public streets shall comply with the following:
 - a. Durable maintainable materials (stone, brick, architecturally finished precast concrete or similar materials equal or better in quality) shall be used for parking structure exteriors.
 - b. A landscaped setback area of at least twenty-five (25) feet shall be provided

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between the parking structure and public sidewalk. Landscaped areas shall be irrigated by underground watering systems.

c. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2 ½) inches in caliper shall be provided for every thirty (30) feet of parking structure frontage. Trees shall be planted between the parking structure and the sidewalk, or between the sidewalk and the street.

(4) For all parking lots that exceed one hundred (100) cars, an area equal to a minimum of ten (10) percent of the paved parking area shall be provided for interior landscaped islands. For all parking lots thirty-five (35) to one hundred (100) cars, an area equal to a minimum of five (5) percent of the paved parking area shall be provided for interior landscaped islands. Interior landscaping shall be not less than forty (40) percent evergreens and shall include canopy trees in islands which exceed 100 square feet. Parking lot trees must be selected for heat, deicing salt, soil compaction, and drought tolerance and are to have a ground layer of organic mulch and/or massing of shrubs or living ground covers which will be managed to tolerate site conditions.

(f) *Landscaping regulations.*

(1) At least fifty (50) percent of all landscaped areas should be planted with species native to Minnesota.

(2) Where nonnative species are planted, no exotic invasive species shall be used, for example, European buckthorn and Tartarian honeysuckle.

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(4) In areas of screening, the landscaping shall favor planting beds of trees with shrubs in order to have upper and lower plant material.

(5) To the greatest extent possible, existing healthy native trees and vegetation shall be retained.

(6) Canopy trees are defined as achieving a height of at least fifty (50) feet at maturity.

(7) When trees are sited in areas where they can be damaged, they shall be protected through such measures as staking, flagging or curbing.